

ATTACHMENT A

Remarks

Claims 1-4 and 22-28 stand pending the present application. By this Amendment, Applicants have amended claims 1-4, cancelled claims 5-21 and added new claims 22-28. Applicants respectfully submit the present application is in condition for allowance based on the discussion which follows.

Claims 12-20 were rejected under 35 U.S.C. § 112, first paragraph, for containing subject matter which is not described in the specification in such a way as to enable one of ordinary skill in the art to make and or use the invention. However, the Examiner said that the specification did provide support for claims directed to:

(1) a composition comprising a pharmacological acceptable carrier and compound according to claim 1 in an amount effective to inhibit proliferation of tumor cells, and

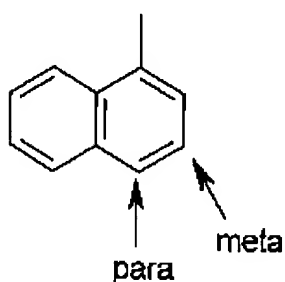
(2) a method of inhibiting proliferation of tumor cells comprising administering to a patient in need thereof an effective amount of a compound according to claim 1.

By this Amendment, Applicants have cancelled claims 12-14 and 18-20 and rewritten them as added new claims 23-28, respectively, as suggested by the Examiner. Further, by this Amendment, Applicants have cancelled claims 15-17 and 21 without prejudice or disclaimer but reserve the right to file a continuation application to pursue patent protection of the now cancelled subject matter.

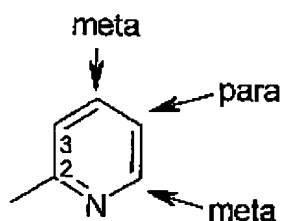
Claims 1-21 were rejected under 35 U.S.C. § 112, second paragraph. Applicants respectfully submit that upon entrance of this Amendment, the claims as currently recited are not indefinite as discussed below.

With regard to the rejection of claim 1, Applicants have amended the claim to correct a typographical error in the spelling of naphthylemethy. Applicants have also amended claim 1 to now recite the chemical structure of phosphate, sulphate and carboxylate to obviate the indefinite rejection based on these terms. Applicants have amended claim 1 to now recite α or β naphthyl rather than α,β naphthyl. Further, by this amendment, Applicants have amended claim 1 to include the appropriate SEQ ID NOs as requested. Finally, Applicants have amended the last line of claim 1 to recite "...or a pharmaceutically acceptable salt thereof" in order to more clearly recite the claim is directed to a single pseudopeptide compound and not three separate compounds.

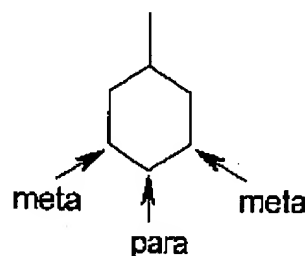
With regard to the rejection of claim 1 for reciting R_2 with reference to "meta" and "para", Applicants respectfully submit that although "meta" and "para", are generally used when referring to phenyl groups, when referring to cyclohexylmethyl, naphthylmethyl or pyridinylmethyl groups, these terms are defined by analogy with a phenylmethyl group, as indicating the position of the substitution with regard to the methyl group, as represented below:



naphthylmethyl



2-pyridinylmethyl



cyclohexylmethyl

Accordingly, Applicants respectfully submit that the use of the terms "meta" and "para" do not make the claims indefinite.

Claim 5 was rejected for reciting a phenymethyl group substituted by P1' which is a precursor of a recited group. By this Amendment Applicants have cancelled claim 5 and rewritten it as new claim 22 where the P1' precursor is clearly defined by incorporating the subject matter of now canceled claims 8-10.

With regard to the rejection to claim 13 (now rewritten as claim 24) for reciting antennapedia, Applicants respectfully submit that the term refers to the group of four amino acid sequences defined in claim 1. Accordingly, Applicants submit that claim 24 as well as claims 4 and 27 which recite "antennapedia" and depend from claim 1, are not ambiguous for reciting that term. Moreover, page 4, line 29 to page 5, line 1 of the specification further supports the definition of "antennapedia". Accordingly, Applicants respectfully submit that claims 4, 24 and 27 are not indefinite for reciting "antennapedia".

Finally, with regard to the 35 U.S.C. § 112, second paragraph, rejections not specifically addressed herein, Applicants respectfully submit that the amendment to the claims overcomes the rejections or the cancellation of the claims renders the rejections moot.

Applicants respectfully submit that the present application is now in condition for allowance.

END REMARKS